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5 SYNCHRONY BANK

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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 PHUONGQ NGUYEN,

12 Plaintiff,

13 vs.

14 SYNCHRONY BANK; and  
DOES 1 through 10,

15 Defendant.  
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Case No. 2:17-cv-4954

[Removal from Superior Court of  
California, County of Los Angeles, Case  
No. 17-K-07304]

**NOTICE OF REMOVAL OF CIVIL  
ACTION UNDER 28 U.S.C. § 1331  
AND 1441(a)**

**[FEDERAL QUESTION]**

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21 **TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR**  
22 **THE CENTRAL DISTRICT OF CALIFORNIA:**

23 PLEASE TAKE NOTICE that Defendant Synchrony Bank (“Synchrony”)  
24 hereby removes this action described below from the California Superior Court,  
25 County of Los Angeles to the United States District Court for the Central District of  
26 California pursuant to Sections 1331 and 1441(a) of Title 28 of the United States  
27 Code (“U.S.C.”). The removal is based on the following:  
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**I. REMOVAL IS PROPER BECAUSE THIS COURT HAS SUBJECT MATTER JURISDICTION PURSUANT TO 28 U.S.C. §§ 1331 AND 1441**

1. On June 6, 2017, Plaintiff Phuongq Nguyen (“Plaintiff”) filed a complaint in the California Superior Court, County of Los Angeles, entitled *Phuongq v. Synchrony Bank*, 17K07304 (hereinafter, the “State Court Action”). The Complaint alleges the following causes of action: (1) Violation of the Rosenthal Fair Debt Collection Practices Act (“RFDCPA”), Cal. Civ. Code § 1788.1, *et seq.*; and (2) Violation of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, *et seq.* The Summons and Complaint are attached hereto as Exhibit 1, as required by 28 U.S.C. § 1446(a).

2. This action is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court pursuant to 28 U.S.C. § 1441(a) in that it is a civil action arising under the laws of the United States, specifically the TCPA.

3. This Court also has supplemental jurisdiction over Plaintiff’s state claim as this claim arises from the same core, operative facts relating to Synchrony’s alleged violation of the TCPA. Accordingly, Plaintiff’s state law claim is related to Plaintiff’s federal question claim, and thereby forms a part of the same case and controversy pursuant to 28 U.S.C. § 1367(a).

**II. THE PROCEDURAL REQUIREMENTS FOR REMOVAL ARE SATISFIED**

1. Synchrony was served with the Complaint on June 8, 2017. This Notice of Removal is timely in that it is filed within thirty days after receipt by Synchrony of a copy of the initial pleading setting forth the removable claim. *See* 28 U.S.C. § 1446(b).

2. Synchrony is the only defendant named in the Complaint. Accordingly, all named defendants consent to the removal of this action.

3. The California Superior Court, County of Los Angeles is located within

1 the United States District Court for the Central District of California. Thus, venue is  
 2 proper in this Court because it is the “district and division embracing the place where  
 3 such action is pending.” 28 U.S.C. § 1441(a).

4 4. In compliance with 28 U.S.C. § 1446(d), Synchrony will serve on  
 5 Plaintiff and will file with the Clerk of the California Superior Court, County of  
 6 Los Angeles a written “Notice to the Clerk and Adverse Parties of Filing of Notice of  
 7 Removal of Civil Action to Federal Court,” attaching a copy of this Notice of  
 8 Removal and all supporting papers.

9 5. No previous application has been made for the relief requested herein.

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 11 WHEREFORE, Synchrony respectfully removes this action from the California  
 12 Superior Court, County of Los Angeles, to this Court pursuant to 28 U.S.C. §§ 1331  
 13 and 1441.

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 15 DATED: July 6, 2017

REED SMITH LLP

16  
 17 By /s/ Raagini Shah  
 18 Raagini Shah  
 19 Attorneys for Defendant  
 20 SYNCHRONY BANK  
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